

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD



Conchita Foods, Inc.
Petitioner,

01-13-2003

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #77

v.

Cancellation No. 32,853

Fritas Encanto de Monterrey, S.A. de C.V.
Registrant.

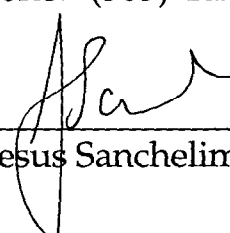
PETITIONER'S MOTION TO ENTER DEFAULT

COMES NOW the Petitioner, **Conchita Foods, Inc.**, by and through undersigned counsel, and files its motion to enter default under Rule 2.114(a) of the Code of Federal Regulations and Rule 55a of the Federal Rules of Civil Procedure for failure to file an answer against the Registrant, for the reasons more particularly set forth in the accompanying memorandum, Petitioner requests the entry of a default in this case.

Respectfully submitted,

SANCHELIMA & ASSOC., P.A.
235 S. W. LeJeune Road
Miami, FL 33134-1762
Telephone: (305) 447-1617

BY: _____


Jesus Sanchelima

UNITED STATES PATENT AND TRADEMARK OFFICE
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Registrant.

MEMORANDUM IN SUPPORT OF PETITIONER'S MOTION TO ENTER
DEFAULT

Petitioner filed this action on July 30, 2002 and, the Board's scheduling order required an answer from Registrant prior to December 30, 2002. To this date, Registrant has not filed an answer.

Rule 55a of the Federal Rules of Civil Procedure provide that a default may be entered by the clerk.

Petitioner requests an early favorable decision granting this motion and entering a default.

Respectfully submitted,

SANCHELIMA & ASSOC., P.A.

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Miami, FL 33134-1762

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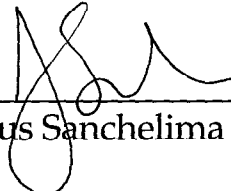
BY: _____

Jesus Sanchelima

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was mailed to: Philip N. Inslip of Baker & McKenzie 2300 Trammell Crow Center, 2001 Ross Avenue Dallas, Texas 75201, Attorney for Registrant, on this 10th of January, 2003.

By: _____


Jesus Sanchelima

Sanchelima & Associates, P.A.
Attorneys at Law

TTAB
Patent, Trademark & Copyright Law

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January 9, 2003



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Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

01-13-2003
U.S. Patent & TMO/TM Mail Rcpt Dt. #77

Re: CONCHITA
Cancellation No.: 32,853
Our File No.: 22525

Dear Sir/Madam:

Enclosed please find a copy of Petitioner's Motion to Enter Default and Memorandum in support of Petitioner's Motion to Enter Default on the above-referenced proceeding.

We would appreciate your acknowledging receipt by signing the enclosed self-addressed, postage paid postcard.

If you have any questions and/or concerns, please feel free to contact us.

Very truly yours,

SANCHELIMA & ASSOCIATES, P.A.

Maribel Elias, paralegal for
Jesus Sanchelima, Esq.

JS/mr

Enclosures